

FISCAL MEMORANDUM

HB 71 – SB 771

May 2, 2008

SUMMARY OF AMENDMENT (014312): Deletes all language after the enacting clause. Decreases the penalty for trafficking for forced labor or services from a Class B to a Class C felony.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$210,900/Incarceration*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$185,700/Incarceration*

Assumptions applied to amendment:

- One person each year will be convicted for the Class B felony offense of involuntary servitude with aggravating circumstances and will serve 2.4 years (876.60 days). According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 2.4 years is \$55,032.95 (\$62.78 x 876.60 days). One person each year will be convicted for the Class C felony offense of trafficking for forced labor or services and will serve 0.9 years (328.73 days). The cost per inmate at 0.9 years is \$20,637.67 (\$62.78 x 328.73 days).
- Two persons each year will be convicted for the Class B felony offense of trafficking a person for sexual servitude. Each offender will serve 2.4 years (876.60 days). The cost per inmate at 2.4 years is \$55,032.95 (\$62.78 x 876.60 days). The total additional cost for two offenders per year is \$110,065.90 (\$55,032.95 x 2).
- No significant incarceration cost increase will occur due to population growth in this period.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc